



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/125,888	08/27/98	PETTERSSON	A 1103326-0519

WHITE & CASE  
1155 AVENUE OF THE AMERICAS  
NEW YORK NY 10036-2787

QM32/1119

EXAMINER

ARNOLD III, T

ART UNIT

PAPER NUMBER

3728

DATE MAILED:

11/19/99

**Pl ase find below and/or attached an Office communication concerning this application or  
pr ceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/125,888

Applicant(s)

Petterson et al

Examiner

Troy Arnold

Group Art Unit

3728



☒ Responsive to communication(s) filed on Aug 27, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 1 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-26 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☐ Claim(s) \_\_\_\_\_ is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☒ Claims 1-26 are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 3728

### **DETAILED ACTION**

It is noted that the claims in this application are so indefinite, incomplete, vague, confusing and replete with non-idiomatic or translated English phrases as to make a complete analysis of the claims extraordinarily difficult, however it is clear that applicant is claiming multiple distinct inventions and statutory classes of inventions which do not share a patentable special technical feature, so a restriction is warranted accordingly.

#### ***Election/Restrictions***

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in response to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-10, drawn to a laminate, classified in class 156, subclass 60.

Group II, claim(s) 11 and 26, drawn to a container, classified in class 220, subclass 62.22.

Group III, claim(s) 12-18 and 23, drawn to an assembly, classified in class 604, subclass 317.

Group IV, claim(s) 19-21 and 24, drawn to a storage package, classified in class 206, subclass 438.

Art Unit: 3728

Group V, claim(s) 22 and 25, drawn to a process for forming a package, classified in class 53, subclass 167.

The inventions listed as Groups I-V do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding patentable special technical features for the following reasons: Group I is drawn to a laminate and the materials used to make it; Group 2 is drawn to a container and the materials used to make it; Group 3 is drawn to an assembly which includes an article and a container; Group 4 is drawn to a storage package and what it may contain; Group 5 is drawn to a process for forming a storage package, what it may contain, and how it may be treated.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

Art Unit: 3728

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Troy Arnold whose telephone number is (703)305-0621. The Examiner can normally be reached Monday through Friday from 9:00 am until 5:00 pm EST. Any questions of a general nature pertaining to the application can be directed to the group receptionist whose number is (703) 308-1148.



Paul T. Sowell  
Supervisory Patent Examiner  
Group 3700

TGA

November 18, 1999